

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE APPLIED THERAPEUTICS  
SECURITIES LITIGATION

No. 24-cv-09715 (DLC)

**JOINT PROPOSAL FOR CONDUCT OF FURTHER PRETRIAL PROCEEDINGS**

Pursuant to § V.3 of the Court’s March 11, 2025 case management order [the “Case Management Order,” ECF No. 59], lead plaintiff Dr. Martin Dietrich (“Plaintiff”) and defendants Applied Therapeutics, Inc., Dr. Shoshana Shendelman, and Dr. Riccardo Perfetti (“Defendants,” and, together with Plaintiff, the “Parties”) respectfully submit this joint proposal for the conduct of further pretrial proceedings in this action.

Having met and conferred on May 12, 2025 and on May 14, 2025, the Parties now propose jointly that the Court enter the following pretrial schedule and deadlines:

***Pleadings and Discovery***

- Discovery in this action shall commence (a) the next business day after the date of the Court’s decision(s) or order(s) denying in whole or in part Defendants’ motion(s) to dismiss the Consolidated Amended Class Action Complaint (the “Complaint”), or a further amended complaint filed pursuant to § V.5 of the Case Management Order; or (b) if no Defendant files a motion to dismiss, the next business day after Defendants file and serve their answer(s) to the Complaint or a further amended complaint (the “Commencement of Discovery”);<sup>1</sup>
- Initial disclosures, pursuant to Federal Rule of Civil Procedure 26(a), shall be served no later than **14 days** after the Commencement of Discovery;
- If motion(s) to dismiss are filed and served, then moving Defendants’ answer(s) to the Complaint or a further amended complaint filed pursuant to § V.5 of the Case Management Order shall be filed and served no later than **45 days** after the date of the Court’s decision(s) or order(s) denying in whole or in part the moving Defendants’ motion(s) to dismiss;

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<sup>1</sup> Each Party reserves the right to file a motion to lift the Private Securities Litigation Reform Act (“PSLRA”) discovery stay, 15 U.S.C. § 78u-4(b)(3), and/or to oppose such motion.

- Plaintiff and Defendants shall reach agreement upon search terms and custodians for document discovery no later than **60 days** after the Commencement of Discovery;
- The Parties shall each substantially complete their document productions no later than **180 days** after the Commencement of Discovery;
- Any motions for leave to amend the pleadings or join additional parties shall be filed and served no later than **195 days** after the Commencement of Discovery;<sup>2</sup>
- Each Party shall serve its privilege log(s), if any, no later than **240 days** after the Commencement of Discovery, except that a privilege log specific to any deponent that is scheduled to be deposed before this deadline shall be served at least 14 days before the date for that deponent's deposition;
- Fact discovery, including non-expert depositions, shall close **300 days** after the Commencement of Discovery, except for any discovery subject to a motion to compel or motion for a protective order pending on such date, and except that any witness on either Party's trial witness list and not previously deposed may be deposed no later than 14 days before trial;
- Opening expert reports by any party having the burden of proof on the issue subject to the expert report shall be served no later than **330 days** after the Commencement of Discovery;
- Rebuttal expert reports shall be served no later than **360 days** after the Commencement of Discovery;
- Reply expert reports shall be served no later than **390 days** after the Commencement of Discovery;
- All discovery, including expert depositions, shall close **420 days** after the Commencement of Discovery, except for any discovery subject to a motion to compel or motion for a protective order pending on such date, and except that any witness on either Party's trial witness list and not previously deposed may be deposed no later than 14 days before trial; and
- The Parties' joint pretrial order shall be filed and served (a) if no summary judgment pre-motion letter (as discussed below) is filed and served, then **450 days** after the Commencement of Discovery; (b) if the Court denies leave to move for summary judgment, then 30 days after the Court's order denying the request(s) for leave; or (c) if the Court grants leave to move for summary judgment, then 30 days after the Court's order denying the motion(s) for summary judgment.

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<sup>2</sup> Each Party reserves all rights to oppose any such motions for leave to amend or to join additional parties. The Parties agree to meet and confer on any proposed amendments, prior to the filing of any motion for leave, in a good-faith effort to narrow any matters in dispute.

### ***Class Certification Briefing***

- The Parties shall meet and confer concerning the elements of Rule 23(a), Rule 23(b)(3), and the Basic Presumption, and whether Defendants will stipulate to or concede any of those elements, no later than **90 days** after the Commencement of Discovery;
- Plaintiff shall file and serve a motion for class certification and expert reports, if any, in support of such motion, no later than **150 days** after the Commencement of Discovery;
- Defendants shall file and serve a brief in opposition to Plaintiff's motion for class certification and expert reports, if any, in support of such opposition, or indicate their non-opposition to Plaintiff's motion, no later than **195 days** after the Commencement of Discovery; and
- Plaintiff shall file and serve a reply brief and expert reports, if any, in support of his motion for class certification no later than **225 days** after the Commencement of Discovery.

### ***Summary Judgment Briefing***

- Any Party intending to file a motion for summary judgment shall file and serve a pre-motion letter (limited to 1,000 words), setting forth the factual and legal bases for the contemplated motion and requesting the Court's leave to move for summary judgment and/or hold a pre-motion conference concerning anticipated summary judgment motions, no later than **435 days** after the Commencement of Discovery;
- Letters in opposition/response (limited to 1,000 words) to a Party's pre-motion letter concerning summary judgment shall be filed and served no later than **450 days** after the Commencement of Discovery; and
- Should the Court grant leave to file one or more motions for summary judgment, such motion(s) shall be filed and served no later than 30 days after the date of the Court's order granting leave; the brief(s) in opposition to the motion(s) shall be filed and served no later than 60 days after the date of the Court's order granting leave; and the reply brief(s) shall be filed and served no later than 75 days after the date of the Court's order granting leave.

### ***Mediation***

- Plaintiff and Defendants shall participate in a mediation, before a private mediator, no later than **110 days** after the Commencement of Discovery.

Dated: May 16, 2025

Respectfully submitted,

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